

## **Guidance for DVR Staff**

### **Provision of Post-Employment Services**

November 9, 2004

The Code of Federal Regulations defines post-employment as follows:

34 CFR 361.5(b)(42) Post-employment services means one or more of the services identified in Sec. 361.48 that are provided subsequent to the achievement of an employment outcome and that are necessary for an individual to maintain, regain, or advance in employment, consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Note to paragraph (b)(42): Post-employment services are intended to ensure that the employment outcome remains consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. These services are available to meet rehabilitation needs that do not require a complex and comprehensive provision of services and, thus, should be limited in scope and duration. If more comprehensive services are required, then a new rehabilitation effort should be considered. Post-employment services are to be provided under an amended individualized plan for employment; thus, a re-determination of eligibility is not required. The provision of post-employment services is subject to the same requirements in this part as the provision of any other vocational rehabilitation service. Post-employment services are available to assist an individual to maintain employment, e.g., the individual's employment is jeopardized because of conflicts with supervisors or co-workers, and the individual needs mental health services and counseling to maintain the employment; to regain employment, e.g., the individual's job is eliminated through reorganization and new placement services are needed; and to advance in employment, e.g., the employment is no longer consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

Wisconsin defines "limited in scope" as one primary service or two concurrent primary services (and as many secondary services as are necessitated to provide the primary service). If the individual requires a sequential provision of primary services to maintain their employment outcome, then the need is not limited in scope.

Wisconsin defines "limited in duration" as six months or less.

To make post-employment appropriate, the IPE employment outcome at time of case closure must still be appropriate for the individual. The purpose of post-employment services is to maintain or regain the employment outcome which existed at time of closure, not to pursue a new employment outcome.

If the case record has been destroyed, the individual cannot access post-employment services. **The case record is defined as the IRIS electronic case record including the IPE attachment(s).**

An IPE amendment must be completed stating the specific services and starting and end dates for the services before post employment services can be provided.

**Procedure for requesting exception to this guidance:** If circumstances necessitate provision of services without an IPE amendment or exceeding the definitions of limited in scope or duration, the VR staff individual, after consultation with a supervisor, should make a written request to Central Office Administration for an exemption. If a request for exception is denied, the consumer must be informed of their right to appeal the decision.

Questions about this document or post-employment services should be directed to Mike Gilbert [mike.gilbert@dwd.state.wi.us](mailto:mike.gilbert@dwd.state.wi.us) or Manuel Lugo [manuel.lugo@dwd.state.wi.us](mailto:manuel.lugo@dwd.state.wi.us).

The following chart is provided as guidance for understanding when it is appropriate to provide post-employment services.

